

The Honorable Theresa L. Fricke

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON CULP,

Defendant.

CASE NO. *MJ20-5052*

COMPLAINT for VIOLATION
18 U.S.C. § 2252(a)(4)(B), (b)(2)

BEFORE the Honorable Theresa L. Fricke, United States Magistrate Judge, U.S.
Courthouse, Tacoma, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

(Possession of Child Pornography)

Beginning on or about April 10, 2019, and continuing until no later than July 18, 2019, at Tacoma, within the Western District of Washington, and elsewhere, the defendant, BRANDON CULP, did knowingly possess matter that contained visual depictions whose production involved the use of minors engaging in sexually explicit conduct and depicts such conduct, which has been mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and which has been produced using materials that had been mailed and shipped and

1 transported in and affecting interstate and foreign commerce by any means, including by
2 computer, and the depictions of child pornography involved include images of
3 prepubescent minors.

4 All in violation of Title 18, United State Code, Section 2252(a)(4)(B), (b)(2).

5 This complaint is based on the following information.

6 I, Nicole E. Faivre, being first duly sworn on oath, depose and say:

7 **INTRODUCTION**

8 1. I am an investigative or law enforcement officer of the United States within
9 the meaning of 18 U.S.C. § 2510(7). I am currently employed as a police detective with
10 the Tacoma Police Department, currently assigned to the Special Assaults Unit,
11 investigating Internet Crimes Against Children. I have been a law enforcement officer for
12 over 15 years. I have investigated and/or participated in investigations involving narcotics
13 smuggling, human trafficking/smuggling, child pornography, and child exploitation. I
14 have a Bachelor of Science Degree in Criminal Justice and Criminology from Metro
15 State University in Denver, Colorado. I completed a 16-week Peace Officer's Standards
16 Training Program in Colorado in 2015, as well as the Washington State Post Equivalency
17 Training program at the Washington State Criminal Justice Training Center in Burien,
18 Washington. I am currently assigned as a Task Force Officer with the Federal Bureau of
19 Investigation's South Sound Child Exploitation Task Force, where my duties include
20 child exploitation and child pornography investigations. I have participated in more than
21 thirty child exploitation or child pornography investigations, and have worked
22 extensively with other investigators on both the state and federal level involved in these
23 types of investigations.

24 2. As further detailed below and based on my investigation and the
25 investigation of other law enforcement officers, I believe that there is probable cause to
26 conclude that BRANDON CULP has committed the offense charged in Count One of this
27 complaint—possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B).
28

3. The facts in this complaint are based on my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described here; and information I gained through training and experience.

4. Because I offer this complaint for the limited purpose of establishing probable cause, I list only those facts that I believe are necessary to support such a finding. I do not purport to list every fact known to me or others as a result of this investigation.

SUMMARY OF INVESTIGATION

5. On or about July 18, 2019, the Electronic Service Provider (ESP) known as Snapchat became aware of three images depicting minors engaged in sexually explicit conduct being shared through the Snapchat Chat Service/IM Client by the Snapchat user BRANDON CULP (username bculp369). Snapchat made a report to the National Center for Missing and Exploited Children (NCMEC), which documented the complaint under CyberTip 52410056. NCMEC forwarded the CyberTip report to the Seattle Police Department's Internet Crimes Against Children unit for further investigation.

6. Additional information that Snapchat provided to NCMEC for the Snapchat user included:

- IP address of 2601:603:1c80:15ce:bced:e184:2122:5629 captured on April 10, 2019, at 00:52:35 UTC (Coordinated Universal Time);
- Mobile number of (253) 330-6850;
- Email address of ownedu333@gmail.com; and
- Date of birth of January 25, 1984.

7. Snapchat did not make clear whether the IP address captured and reported in the CyberTip on April 10, 2019, was the actual date and time that the images were

1 uploaded, or if it occurred on July 18, 2019, the date Snapchat made the CyberTip report
2 to NCMEC. Law enforcement contacted Snapchat's Law Enforcement Support team by
3 email for clarification on the dates and times. (See paragraph 16 below for Snapchat's
4 response.)

5 8. On or about August 23, 2019, I was assigned CyberTip 52410056 for
6 further investigative follow-up; the matter was documented under Tacoma Police Case
7 Number 1923901290. I opened and reviewed the CyberTip and viewed the three images
8 that were attached to it. Below are descriptions of the images.

9 **MD5 File aa1222073e3ee8db5ce786a32422571c:**

10 This image depicts a white girl with dark hair who is lying on her stomach on a
11 bed with a dark blue or black colored comforter. The child is wearing a white headband
12 to hold her hair back. She is completely naked.

13 The child is looking over her right shoulder and smiling. The smile reveals a
14 combination of both adult and baby teeth. The child has her hips raised up and her legs
15 are spread wide so that her rectum and vaginal area are visible in the photograph.

16 Based upon the child's overall size, lack of hip development, absence of breast
17 development, and appearance of baby teeth, I estimate her age to be between 5 and 9
18 years old.

19 **MD5 File d1f923b490d1438edfbd9202116ae506:**

20 This image depicts a white girl with dark hair who is lying between the legs of an
21 adult man. The girl appears to be the same girl from the first image described above. I am
22 unable to tell if the child is completely naked, but she appears not to be wearing a shirt.
23 She is holding the man's erect penis in her right hand and licking it as she looks directly
24 at the camera.

25 The only parts of the man visible in the image are his penis and his legs, which
26 show a fair amount of hair. Based on what is visible of the child in the photograph, I
27 estimate her age to be between 5 and 9 years old.
28

MD5 File 8799bf7111cc7915793b568b760a45f4:

This image depicts a white girl with dark hair. She is lying on her stomach on stuffed animals. The child's head is resting on top of a large brown teddy bear, and the child's head is turned to the right, exposing the right side of her face. This appears to be the same girl from the two previously described images.

The child is completely naked, and she has her hands resting on either side of her buttocks, slightly pulling them apart to reveal her rectum and vaginal areas, which appear to be covered in ejaculate.

Based upon the child's overall size, lack of hip development, and the absence of any body hair, I estimate her age to be between 5-9 years old.

9. After viewing the image associated with the CyberTip, I used the publicly available website MaxMind (maxmind.com) to verify the suspect IP address provided by Snapchat. Through this process, I determined that the service provider was Comcast, with coordinates that geolocated to Tacoma, Washington.

10. I then used a law enforcement database to perform a records search on BRANDON CULP, with a date of birth of January 25, 1984, as provided by Snapchat in the CyberTip. I found a current sex-offender registration for CULP that listed him as a level-one registered sex offender, stemming from a 2014 conviction in Snohomish County for attempted solicitation of a minor to engage in sexual conduct.¹

11. The address provided on CULP's sex-offender registration was 3735 1/2 Fawcett Avenue in Tacoma, with a phone number of (253) 274-0209. I asked Detective Christie Yglesias (the Sex Offender Verification Detective in my office) to confirm that CULP was still currently active on the registry. Detective Yglesias confirmed this and

¹ CULP, a former Navy sailor, was convicted in a general court-martial after an investigation by the U.S. Naval Criminal Investigative Service and the FBI. CULP pleaded guilty to violating Uniform Code of Military Justice Article 134 for attempting to solicit a minor to engage in a commercial sex act as prohibited by 18 U.S.C. §§ 1591 and 1594, and to violating Article 92 for wrongfully using government property for unauthorized purposes. He was sentenced in 2014 to 12 years' confinement, although he did not serve that full sentence. As a result of the conviction, CULP was also dishonorably discharged from the Navy and required to register as a sex offender.

1 advised me that CULP was due for address verification in February 2020. All registered
2 sex offenders in the city of Tacoma are required to have their address verified by law
3 enforcement. The frequency of verification checks depends on the level assigned to the
4 sex offender. As CULP was a level-one registered sex offender, he was required to
5 undergo annual address verification.

6 12. I used the publicly available website ZetX (zetx.com) to look up the phone
7 number provided by Snapchat. I discovered it was a Sprint Mobile number registered to
8 Q Link Wireless.

9 13. On December 20, 2019, I applied for and obtained a search warrant from
10 Pierce County Superior Court Judge Elizabeth Martin for subscriber records and account
11 content for the reported Snapchat account for Snapchat user bculp369; basic subscriber
12 information for the associated Google email of ownedu333@gmail.com; and subscriber
13 records for the Comcast IP 2601:603:1c80:15ce:bced:e184:2122:5629 on April 10, 2019,
14 at 00:52:35 UTC and on July 18, 2019, at 14:43:29 UTC. All search warrants were
15 submitted electronically.

16 14. Three days later, on December 23, 2019, Comcast responded that the
17 subscriber for the above-listed IP address on July 18, 2019, at 14:43:29 UTC was
18 BRANDON CULP, with a service address listed as 3735½ Fawcett Avenue in Tacoma
19 and a phone number of (253) 625-8060. The start of Comcast service was listed as March
20 5, 2019. Comcast was unable to provide me with subscriber information for the above
21 listed IP address for the date of April 10, 2019, at 00:52:35 UTC as it was outside of their
22 data-retention period. But Comcast did provide me with a billing statement for the service
23 dates of April 5 to May 4, 2019, for the address of 3735½ Fawcett Avenue. In the
24 itemized billing receipt for those dates, CULP was billed for internet services, including
25 internet equipment rental.

26 15. On December 24, 2019, I received a response from Snapchat. The response
27 included an Excel Spreadsheet labeled "subscriber." There was no information contained
28 within the report other than the account had been disabled on July 18, 2019. I reached out

1 once again to Snapchat to ask why they did not have any account information archived
2 for the individual whom they had reported to NCMEC. Snapchat responded:

3 Hello,

4 Thank you for reaching out to us. Please note that we have
5 provided all available data within our systems for the Snapchat
6 user(s) bculp369, as listed in your legal process.

7 Please review the below retention information for guidance as
8 to why information may be unavailable on our systems:

9 Regarding Snapchat content availability in general, as outlined
10 in our Guide, typically once a Snap has been opened by all
11 recipients, the content is permanently deleted and unavailable.
12 If a Snap is unopened by one or more recipients, it may remain
13 on our servers for up to 30 days. A Snap that has been posted
14 to a user's Story can be viewed for up to 24 hours. Typically,
15 the posted Snap is permanently deleted and unavailable 24
16 hours after being posted to the Story. Chat content will
typically only be available if the sender or recipient has chosen
to save the Chat. Memories content may be available until
deleted by a user.

17 16. In response to my inquiry regarding the reported IP address (see paragraph
18 7 above), Snapchat provided the following explanation:

19 Hello,

20 Thank you for your email. Please note the Incident Date/Time
21 is when Snap made the report to NCMEC.

22 Additionally, the IP address information is the most recent
23 login information. We capture the login/logout IP address, we
24 do not capture the IP address when the content was sent.

25 Please let us know if you have any additional questions.

26 Regards,

27 Snap Inc. Law Enforcement Operations
28

1 17. From this explanation, I believe that all Snapchat can confirm about its
2 CyberTip to NCMEC is the user who was reportedly sending the contraband—not the
3 specific date or time that the alleged offense occurred.

4 18. Google responded to my request on December 24, 2019. Google confirmed
5 that the name on the account was BRANDON CULP; that the account creation date was
6 December 10, 2011; and that the affiliated SMS number was (253) 625-8060, which was
7 also the phone number listed on CULP's Comcast account. Using the publicly available
8 website ZetX, I looked up the mobile number (253) 625-8060 and saw that it was a T-
9 Mobile wireless number registered to BRANDON CULP.

10 19. On January 21, 2020, Detective Yglesias contacted CULP by phone to
11 advise him that the detective was coming up on his address-verification check. I had
12 asked Detective Yglesias to confirm with CULP how long he had been living at the
13 3735½ Fawcett Avenue address, in an effort to obtain further confirmation that he had
14 lived there on April 10, 2019.

15 20. Detective Yglesias reported back to me that she was reached CULP by
16 phone on the (253) 625-8060 mobile number and advised CULP that he was getting close
17 to his verification check. CULP told Detective Yglesias that he knew his time was
18 coming up, and he said he was worried that he had missed detectives who were there to
19 talk to him. CULP explained that he is a "gamer" and that he wears headphones; he
20 worried that he would not hear detectives knocking at the door. He asked Detective
21 Yglesias to call him on his phone so that he could come to the door. Detective Yglesias
22 asked CULP how long he had been living in the residence, and he said has been there for
23 the last couple of years. He described the residence as a duplex-style unit, where he lives
24 with a roommate. CULP said that he was not sure who lived in the duplex's other half.

25 21. On January 30, 2020, around 3:30 p.m., I accompanied detectives from the
26 Tacoma Police Department's Special Assaults Unit to 3735½ Fawcett Avenue in
27 Tacoma, where we executed a residential search warrant issued by Pierce County
28 Superior Court Judge James R. Orlando.

1 22. Detective Yglesias called CULP on his phone. CULP stepped out of the
2 residence, came downstairs, and met Detective Welsh in the yard. Detective Welsh
3 explained to CULP that in addition to his address verification, we also had a warrant to
4 search his residence. Detective Welsh asked CULP if he had a cell phone, and CULP said
5 it was upstairs in his room.

6 23. At this point, I introduced myself and told CULP that I would explain
7 everything to him and answer all of his questions. I asked CULP if he would be willing to
8 talk to Detective Welsh and me. I advised him that he was not obligated to talk to me and
9 that he was not under arrest, but that he was being detained during the execution of the
10 warrant. CULP said he would be willing to talk to us. I asked him if he would like to do it
11 in my unmarked police vehicle or if he preferred to go back to the police station and be
12 interviewed in a room. CULP said that he was fine talking in my unmarked police car.

13 24. CULP got into the back of my car, which has no cage. I sat in the front
14 driver's seat of the car, and Detective Walsh sat in the rear passenger seat behind me,
15 next to CULP. At no time during the interview was CULP handcuffed or locked in my
16 car. Detective Welsh asked CULP if he would provide him with the passcode for his cell
17 phone, again advising that he did not have to do so. CULP agreed to provide the passcode
18 and told it to us. Detective Welsh gave the passcode to Sergeant Jason Greer of the
19 Washington State Patrol so that he could do an on-scene forensic search of the device. I
20 again told CULP that he was not obligated to talk to me, and asked him if he would be
21 OK with my using an audio recorder to record the interview. CULP agreed.

22 25. I began the recording and announced all persons present. I told CULP that I
23 was going to advise him of his rights, which he said he understood. I read CULP his
24 rights from a prepared Tacoma Police Advisement of Rights form. I asked CULP if he
25 understood, and he said "yes." I asked him if he wished to voluntarily answer questions,
26 and he stated that he would, until the point that he felt that he needed a lawyer. I again
27 reiterated to CULP that he was free to end our conversation and ask for an attorney at any
28 time. CULP signed the rights form at 3:53 p.m.

1 26. I asked CULP if he had any idea why we were at his residence with a
2 search warrant. He said he did not. I told him that he had been reported to authorities
3 when his account bculp369 was captured uploading illegal files. CULP said that he had
4 had a Snapchat account in the past, but that he couldn't remember the screen name for it.
5 CULP said that he had not used the account for very long, as the app "confused" him, and
6 that he had used it only for about a year. He said that he used the account for the purposes
7 of talking to his friends.

8 27. I brought CULP back to the topic of his Snapchat account and the reason
9 why he had stopped using it. CULP told me that his account had been deleted. I asked if
10 CULP deleted the account himself, and he said that he had not. He said that the account
11 was deleted because "I guess I violated some terms of service or something like that."
12 CULP said that Snapchat had notified him that the company deleted his account because
13 of a violation of Snapchat's user terms of service.

14 28. I asked CULP what he had done to violate Snapchat's terms of service. He
15 said that he believed that his account was deleted because he bought from other Snapchat
16 users what he referred to as "Snapchat Premium" accounts, which women used to sell
17 him adult content. CULP said that the owners of such accounts post adult content on their
18 "Stories," and that Snapchat deletes such accounts because of their content.

19 29. CULP said that he would pay these women for what he called "personal
20 porn," but that they were all women over age 18. I asked CULP if any of the photographs
21 were of girls under the age of 18, and he said that he didn't think so, although "some
22 were in school girl uniforms." CULP said he is into role play and pictures of adult
23 women who dress to look young. CULP said that a year ago when he had the Snapchat
24 account, he paid for "a lot" of the premium profiles, but not so much now, because he is
25 really into his gaming.

26 30. I told CULP that Snapchat had deleted his account because images that he
27 had uploaded to the instant-messaging platform were deemed by the administrator to be
28 depictions of minors engaged in sexually explicit conduct. I told CULP that in addition to

1 the account information and the images, Snapchat had also preserved the IP address
2 associated with the offense, which came back to CULP and to his home address. CULP
3 replied: "Okay."

4 31. CULP said that he could not think of the specific images that he had sent
5 that had been flagged by the administrator. I told CULP that while we were sitting in the
6 vehicle talking, other detectives were currently searching his residence for electronic
7 devices, and that any devices the detectives found would be searched for depictions of
8 minors engaged in sexually explicit conduct. I asked CULP if he understood what I was
9 saying, and he nodded. I then asked him if he was concerned with what investigators
10 would find on his electronic devices. CULP replied: "Is there any concern? You guys are
11 already looking through my stuff anyway." I asked CULP directly if detectives were
12 going to find child pornography on his phone or computers. CULP replied: "I feel like
13 this the point where I should have a lawyer."

14 32. I stopped, asked CULP if he was asking for a lawyer, and told him that if he
15 wanted to terminate the conversation until he was able to talk to an attorney, we would do
16 so. CULP asked: "If I do request a lawyer, then what happens?" I told CULP that we
17 would be done with the conversation and that no more questions would be asked. I again
18 asked CULP directly if he was requesting an attorney and if he no longer wished to speak
19 to us. Although given the opportunity to terminate the interview by stating that he wanted
20 an attorney, CULP did not ask to end the conversation or to have an attorney present. I
21 told CULP that we would wait until detectives were done executing the search warrant to
22 see if they found any images consistent with child pornography, and then we would go
23 forward from there. I told CULP that if we needed to bring back his devices for a more
24 thorough forensic examination at a different location, we would take the devices until the
25 exam was completed, but return them to him if they did not have anything illegal on
26 them.

27 33. CULP asked me if he was going to end up going to jail today. I told him
28 that it depended on whether or not we found illegal material on his devices. CULP asked

1 me whether he would go to jail if officers did find such material, and I told him that yes,
2 he would be booked.

3 34. I again reminded CULP that he was currently not under arrest, and that he
4 had the right to terminate our conversation and not answer any more questions. CULP
5 said that he understood that we were at his residence because of images that he had been
6 reported for uploading, and he said that he would "sound like a complete retard if I said
7 someone broke into my house." Detective Welsh told CULP that the purpose of our
8 conversation was to give him an opportunity to explain to us how he came to possess
9 child pornography, and to try to identify others who were sending the images to him.

10 35. I asked CULP when he had started looking at child pornography online. He
11 said that he didn't really know, and that he just kind of got sucked into it when he started
12 talking to people in online groups, like Kik.² CULP talked about participating in
13 treatment during his previous incarceration; he said that afterwards, he felt like he had
14 made improvements and was doing better. But over time, he began to relapse, going back
15 to the chat rooms and looking at child pornography online.

16 36. During our conversation, Detective Josh McKenzie advised me that
17 Sergeant Greer had located images on the Samsung Galaxy S8 cell phone for which
18 CULP had provided the passcode. I got out of the car and went upstairs to CULP's
19 residence to look at those images. Sergeant Greer showed me four images of girls
20 between ages 9 and 11 who were nude and posed for the camera. Two of these images are
21 described below.

22 **MD5 File 210F06AECF8A1/BRANDON CULPC19C40249B2E4788C4B:**

23 This image depicts a white girl with long blond hair. She is completely naked and
24 she is leaning forward towards the camera. Her vagina is fully visible in the photograph,
25 as is her chest area. She lacks breast development, and her genital area is also
26
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28 ² Kik Messenger (kik.com) is an instant-messaging mobile application made by the Canadian company Kik Interactive.

1 underdeveloped. There is no presence of pubic hair or pubic hair follicles. Based on the
2 child's appearance, I estimate her age to be between 9 and 11 years old.

3 **MD5 File 8247DEFBA09564E525EE78EFD38E1BFE:**

4 This image depicts a white girl with long dark hair who is completely naked. The
5 child appears to be lying back on a bed, propped up on her arms. She has her legs spread
6 wide apart so that her vagina and part of her rectum is exposed in the frame.

7 The child lacks any breast development, and her genital area is underdeveloped.
8 There is no presence of pubic hair or pubic hair follicles, and her frame is so slight that I
9 am able to see her rib cage. I estimate the child's age to be about 8 to 11 years old.

10 37. While I was looking at the images from CULP's Samsung phone, I learned
11 that detectives had found another cell phone propped up on CULP's bed, plugged into a
12 wall charger—a password-protected LG Aristo cell phone.

13 38. Sergeant Greer was also running an on-scene forensic search of CULP's
14 computers using osTriage version 2.5. Sergeant Greer told me that during his cursory
15 examination for evidence of depictions of minors engaged in sexually explicit conduct,
16 osTriage hit on 39 keywords search terms including: *11 yr, 1yo, 2yo, 4yo, 9yo, 9yr,*
17 *Alicia, angel, baby, boi, boy, brother, chl, chil, child, daughter, family, fkk, klds, kdd,*
18 *kdv, kdz, kids, little, Ish, Ism, onion, pdo, pt3, rbv, tara, tori, underage, viki, young, yung,*
19 *and zpt.* Sergeant Greer noted in his report that while these keywords are not illegal by
20 themselves, they are often used by individuals who download, upload, and/or view
21 depictions of minors engaged in sexually explicit conduct. Sergeant Greer advised that he
22 had not located any illegal images during the examination.

23 39. I returned to my police car, where CULP remained seated in the backseat
24 with Detective Welsh. I told CULP that detectives had found images on his cell phone
25 consistent with child pornography. CULP appeared unsurprised. We continued talking
26 about his online activity and how he came to possess child-pornography images. CULP
27 said that he would search for images but mostly received them from other persons whom
28 he chatted with online. CULP said he had a Kik account but claimed not to remember his

1 username, and claimed he had not been on Kik in a while. CULP said that he would go
2 into different Kik chat groups and talk to other people, and that they would role-play and
3 share images.

4 40. I asked CULP if he had ever shared or passed on any images from his
5 collection to people he chatted with. He said that he did and that "that's how it works."
6 CULP clarified that people would send images to him, and he would in turn send images
7 to them. CULP stated that he didn't look for or seek out images of children who were
8 infant to toddler age, but he would not give an age range for the images he sought out.

9 41. Detective Welsh asked CULP about the LG phone found on his bed during
10 the search. CULP said that he did not use that particular phone much and that it might not
11 be charged. When Detective Welsh asked CULP for the phone's passcode, CULP said it
12 was "3399." I asked CULP if that phone contained additional images of minors engaged
13 in sexually explicit conduct, and CULP said yes.

14 42. When I asked CULP about why he collected images depicting minors either
15 naked or engaged in sexually explicit conduct, CULP said he did not understand my
16 question. I asked him specifically if he used the images to sexually gratify himself. CULP
17 seemed put off by my question, stating that it seemed like more of a question that
18 someone would ask him in a treatment setting. I told CULP that, in my experience, when
19 people view these images, they generally do it because they have a sexual attraction to
20 children, and use the images for sexual arousal and gratification. CULP did not deny that
21 he found the photos sexually arousing but would not admit to masturbating to them.

22 43. CULP stated that he could get aroused without having to see the child-
23 pornography images, but just by thinking of the fantasy and recalling the images, which
24 is ultimately what he would do when participating in chat groups. I asked CULP when he
25 last participated in such a chat group or looked at the child-pornography photos in his
26 collection. CULP said it had been a couple of months.

27 44. I got out of the car and contacted Sergeant Greer, who told me that he had
28 not been able to extract all the data from the second cell phone (the LG), but that on an

1 initial manual review, it appeared to contain additional photos and videos consistent with
2 child pornography. One folder on the phone, labeled "Kik Videos," contained 175 videos;
3 in some, according to Sergeant Greer, you could see just on an initial glance that the
4 videos appeared to depict minors either nude or engaging in sex acts. Investigators
5 brought the LG phone back to the Tacoma Police Department for a forensic examination
6 and extraction.

7 45. Additional items seized from CULP's residence and transported back to the
8 Tacoma Police Department included CULP's computer tower, a laptop computer, a ZTE
9 cell phone, and the Samsung Galaxy phone that Sergeant Greer had extracted on scene.
10 Of the evidence, everything except the Samsung phone was secured in the Digital
11 Forensics Laboratory pending forensic examination and extraction; the Samsung Galaxy
12 S8 was transported back to the Tacoma Police Department and booked into property and
13 evidence by Detective McKenzie. Copies of the search warrant and return of service were
14 photographed and left on a table at CULP's residence.

15 46. I then told CULP he would be placed under arrest and transported to the
16 Pierce County Jail on charges of second-degree possession of depictions of minors
17 engaged in sexually explicit conduct.

18 47. I gave Detective Reda a copy of the search warrant and the additional
19 devices (the LG Aristo Cell Phone, Asus Desktop Computer, an ACER Laptop
20 Computer, a black ZTE cell phone, and a Verizon Samsung flip phone) for off-site
21 forensic examination and extraction. I received a final report documenting the final
22 results of the forensic examination and extractions completed on the digital devices
23 seized from CULP's residence. In his final report, Detective Reda noted that in the
24 review of the LG Aristo, he found the device user listed as "JOSH ALLEN," with an
25 associated email address of joshallen369369@gmail.com. Detective Reda noted that the
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1 LG Aristo phone is manufactured in Vietnam, based on the manufacturer's stamp on the
2 inside of the phone.³

3 48. The examination of the LG revealed numerous applications, including Kik
4 Messenger (discussed above), MEGA (a cloud-storage application), Dropbox, Hangouts,
5 Google, Facebook, and TextNow. The most commonly used application appeared to be
6 Kik. A check of the "webhistory" showed limited web history and showed that the most
7 common websites used on the phone were Dropbox, TextNow, Google, and MEGA.
8 Detective Reda told me that he thought the limited web history may have resulted from
9 CULP's using an incognito-browsing function.

10 49. A further review of the images on the LG phone found over 10,000 files,
11 mostly pornographic with some duplicates. While some of the material displayed obvious
12 adults, many of the images were nude depictions of children under 12 years old,
13 including depictions of toddlers and infants.

14 50. The video section of the LG's memory contained over 1,000 files, also with
15 some duplicates. This section contained videos of adults engaged in sexual activity, but
16 mostly contained videos of very small children, toddlers, and infants engaged in sexual
17 activity. While a few of the downloaded filepaths point to MEGA, it appears majority of
18 these files were downloaded through the Kik application. Detective Reda advised that
19 further research may be required to determine how these files were downloaded to the LG
20 phone.

21 51. Detective Reda managed to convert the image and video files into Griffeye
22 format so that I could easily load them into the sorting software to identify images and
23 videos depicting minors engaged in sexually explicit conduct.

24 52. Griffeye is a technology company that makes forensic software, including
25 software used to categorize and identify images and video files of children engaged in
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28 ³ I believe that CULP's Samsung phone was manufactured in China because I went to the property room
and removed the back of the phone to get the manufacturer's information.

1 sexually explicit conduct.

2 53. Using this software, I imported 6,395 total media files into the program,
3 and categorized 871 files as Child Abuse Material; 853 files as being age difficult
4 (meaning that some of the females presented with more advanced breast and genital
5 development so that I could not definitively determine they were under age 18) or as
6 depicting child erotica; and 80 comparison files that show selfies of BRANDON CULP's
7 face in the photographs.

8 54. Of the 871 files depicting minors engaged in sexually explicit activity, I
9 located several videos depicting infant children being sexually abused. Three of the
10 videos are described below.

11 **MD5 File 1B9E773863BD334055F68F356620CFF0:**

12 This is a video file that is approximately 28 seconds in length and depicts a white
13 infant girl and a white adult man. The infant is completely naked and is positioned on her
14 stomach on a bed. A white metal bed frame can be seen against the wall, and a Cabbage
15 Patch Doll is leaning against it.

16 The man is naked. He uses his left hand to simultaneously hold the infant down
17 while spreading her rectum open. He then begins to insert his penis into the infant's
18 rectum using his right hand. As he inserts his penis deeper into the child's rectum, the
19 baby can be heard crying. The video ends.

20 Based on what is visible of the infant, her small size, and her small vaginal area, I
21 estimate her age to be between 6 and 9 months.

22 **MD5 File A0AE436E492B10DAE95AA651E0E2DE56:**

23 This video file depicts a white infant girl being anally penetrated by a white adult
24 man. The infant is naked except for a red T-shirt with white markings on it.

25 The video appears to be taken by the man looking down. Throughout the entirety
26 of the 43-second video, the infant is crying hysterically, in obvious distress. At one point,
27 the infant gasp between cries as if she is struggling to breathe.
28

1 The man's left hand comes into the frame at one point. It looks like he is wearing a
2 long-sleeved gray shirt and that he has a tattoo on his left hand. He is holding both of the
3 infant's legs in his hand to prevent her from kicking. The man is fully inserting his entire
4 penis into the infant's rectum with such force that you are able to hear skin to skin
5 contact. The video then ends.

6 Based on what is visible of the infant, her small size, and small vaginal area, I
7 estimate her age to be between 6 and 9 months.

8 **MD5 file 6130A8407650A182BE7454D9A4127B10:**

9 This video file depicts a white infant boy who is completely naked and an adult
10 white man. The video is about 1 minute and 21 seconds long.

11 The infant rests on a "boppy" style nursing pillow on top of a couch, sucking his
12 left hand. The man in the video is manually manipulating his penis so that it becomes
13 erect. He then begins to rub it against the infant's penis. The man can be heard talking to
14 the baby, but I am unable to make out what he is saying.

15 The man then forces his fully erect penis into the infant's mouth and moves it in
16 and out. The infant begins to turn red in the face; his arms start to thrash, clearly
17 indicating that he is not able to breath. The man continues to talk to the baby and move
18 his penis in and out of the baby's mouth until the man begins to ejaculate. The man then
19 removes his penis from the infant's mouth, and the infant is immediately heard crying.
20 The video ends as the male ejaculates on the infant's face.


21 Based on the infant's size, I estimate his age to be no more than 3 months old.
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CONCLUSION


Based on the above facts, I believe that there is probable cause to conclude that the defendant, BRANDON CULP, committed the offenses charged in this complaint.

Pursuant to Federal Rule of Criminal Procedure 4.1, this complaint is presented by reliable electronic means.


NICOLE E. FAIVRE, Complainant
Task Force Officer
Federal Bureau of Investigation

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on the 12th day of March, 2020. Based on the complaint and sworn affidavit, the Court finds that there is probable cause to believe that the defendant committed the offenses set forth in the complaint.

DATED this 12th day of March, 2020.


THERESA L. FRICKE
United States Magistrate Judge